

AMENDED IN ASSEMBLY APRIL 11, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1772

Introduced by Assembly Member Buchanan

February 17, 2012

An act to amend ~~Sections 48200 and 48210~~ *Section 48010* of, and to add *Section 48001* to, the Education Code, relating to compulsory education kindergarten.

LEGISLATIVE COUNSEL'S DIGEST

AB 1772, as amended, Buchanan. ~~Compulsory kindergarten. Kindergarten.~~

Under existing law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Existing law excludes a child under 6 years of age from the public schools, subject to specified exceptions.

Existing law requires a school district maintaining a kindergarten to admit a child who will have his or her 5th birthday on or before certain specified dates during that school year. *Existing law also requires that a child who will have his or her 6th birthday on or before specified dates be admitted to the first grade of an elementary school.*

~~This bill would require a child to attend compulsory kindergarten if he or she meets the age requirements for admission to kindergarten, subject to specified exemptions. By increasing the duration of compulsory education, this bill would impose a state-mandated local program.~~

This bill, beginning with the 2014–15 school year, would require a child to complete one year of kindergarten before he or she may be admitted to the first grade, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 48200 of the Education Code is amended~~
2 ~~to read:~~
3 ~~48200. (a) Except as provided in subdivision (b), a person~~
4 ~~between the ages of 6 and 18 years not exempted under this chapter~~
5 ~~or Chapter 3 (commencing with Section 48400) is subject to~~
6 ~~compulsory full-time education. A person subject to compulsory~~
7 ~~full-time education and a person subject to compulsory continuation~~
8 ~~education not exempted under Chapter 3 (commencing with Section~~
9 ~~48400) shall attend the public full-time day school or continuation~~
10 ~~school or classes and for the full time designated as the length of~~
11 ~~the schoolday by the governing board of the school district in~~
12 ~~which the residency of either the parent or legal guardian is located.~~
13 ~~A parent, guardian, or other person having control or charge of~~
14 ~~the pupil shall send the pupil to the public full-time day school or~~
15 ~~continuation school or classes and for the full time designated as~~
16 ~~the length of the schoolday by the governing board of the school~~
17 ~~district in which the residence of either the parent or legal guardian~~
18 ~~is located.~~
19 ~~(b) A person eligible for enrollment in kindergarten pursuant~~
20 ~~to subdivision (a) of Section 48000 and not exempted under this~~
21 ~~chapter is subject to compulsory kindergarten, and shall attend~~
22 ~~public kindergarten for the full time specified in Section 46111.~~
23 ~~The parent, guardian, or other person having control or charge of~~
24 ~~a person subject to compulsory kindergarten shall send him or her~~

1 to the public kindergarten for the full time designated in Section
2 46111.

3 (e) ~~Unless otherwise provided for in this code, a pupil shall not~~
4 ~~be enrolled for less than the minimum schoolday established by~~
5 ~~law.~~

6 SEC. 2. ~~Section 48210 of the Education Code is amended to~~
7 ~~read:~~

8 ~~48210. Children under six years of age are excluded from the~~
9 ~~public schools, except:~~

10 (a) ~~A child subject to compulsory kindergarten pursuant to~~
11 ~~subdivision (b) of Section 48200.~~

12 (b) ~~As otherwise provided in this code.~~

13 SECTION 1. *Section 48001 is added to the Education Code,*
14 *to read:*

15 48001. *Beginning with the 2014–15 school year, a child shall*
16 *complete one year of kindergarten before he or she may be*
17 *admitted to the first grade.*

18 SEC. 2. *Section 48010 of the Education Code is amended to*
19 *read:*

20 48010. (a) A child shall be admitted to the first grade of an
21 elementary school during the first month of a school year if the
22 child *has completed one year of kindergarten and* will have his or
23 her sixth birthday on or before one of the following dates:

24 (1) December 2 of the 2011–12 school year.

25 (2) November 1 of the 2012–13 school year.

26 (3) October 1 of the 2013–14 school year.

27 (4) September 1 of the 2014–15 school year and each school
28 year thereafter.

29 (b) For good cause, the governing board of a school district may
30 permit a child of proper age to be admitted to a class after the first
31 school month of the school term.

32 SEC. 3. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.